

## **Air Quality Loan Program RFP Supplemental Information**

### **Links to Federal and California Financial Regulations Cited in the RFP's Definitions and Grant Agreement**

#### **Federal Regulations**

***Part 1805 (commencing with Section 1805.100) of Chapter XVIII of Title 12 of the Code of Federal Regulations (as of January 1, 2008):***

[http://www.access.gpo.gov/nara/cfr/waisidx\\_08/12cfr1805\\_08.html](http://www.access.gpo.gov/nara/cfr/waisidx_08/12cfr1805_08.html)

***Part 107 (commencing with Section 107.20) of Chapter 1 of Title 13 of the Code of Federal Regulations (as of January 1, 2008):***

[http://www.access.gpo.gov/nara/cfr/waisidx\\_08/13cfr107\\_08.html](http://www.access.gpo.gov/nara/cfr/waisidx_08/13cfr107_08.html)

***Part 120 (commencing with Section 120.1) of Chapter 1 of Title 13 of the Code of Federal Regulations (as of January 1, 2008):***

[http://www.access.gpo.gov/nara/cfr/waisidx\\_08/13cfr120\\_08.html](http://www.access.gpo.gov/nara/cfr/waisidx_08/13cfr120_08.html)

#### **California Regulations**

***Financial Code Section 22009:***

<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=fin&group=21001-22000&file=22000-22011>

"Finance lender" includes any person who is engaged in the business of making consumer loans or making commercial loans. The business of making consumer loans or commercial loans may include lending money and taking, in the name of the lender, or in any other name, in whole or in part, as security for a loan, any contract or obligation involving the forfeiture of rights in or to personal property, the use and possession of which property is retained by other than the mortgagee or lender, or any lien on, assignment of, or power of attorney relative to wages, salary, earnings, income, or commission.

It is the intent of the Legislature that the definition of finance lender shall be interpreted to include a personal property broker as referenced in [Section 1 of Article XV of the California Constitution](#).

***Financial Code Section 22502:***

<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=fin&group=22001-23000&file=22500-22502>

"Commercial loan" means a loan of a principal amount of five thousand dollars (\$5,000) or more, or any loan under an open-end credit program, whether secured by either real or personal property, or both, or unsecured, the proceeds of which are intended by the borrower for use primarily for other than personal, family, or household purposes.

For purposes of determining whether a loan is a commercial loan, the lender may rely on any written statement of intended purposes signed by the borrower. The statement may be a separate statement signed by the borrower or may be contained in a loan application or other document signed by the borrower. The lender shall not be required to ascertain that the proceeds of the loan are used in accordance with the statement of intended purposes.